

1960

## c 87 Day Nurseries Act

Ontario

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CHAPTER 87

The Day Nurseries Act

1. In this Act,

Interpre-  
tation

(a) "day nursery" means an institution, agency or place, whether known as a day nursery, nursery school, kindergarten, play school, or under any other name, which for compensation or otherwise receives for temporary custody on a daily or hourly basis with or without stated educational purpose, during part or all of the day, apart from the parents, more than three children under seven years of age and not attending the first grade of school and not of common parentage, but does not include a nursery school or kindergarten conducted,

(i) as part of a public school under *The Public Schools Act* or a separate school under *The Separate Schools Act*, or R.S.O. 1960, cc. 330, 368

(ii) as part of a school, college, academy or other educational institution that is giving instruction equivalent to that given in grades 1 to 8, both inclusive, in a public or separate school;

(b) "Minister" means the Minister of Public Welfare. R.S.O. 1950, c. 88, s. 1; 1960, c. 20, s. 1.

2.—(1) The council of a city, town, village or township may by by-law provide for the establishment of day nurseries for the care and feeding of young children. Establishment of day nurseries

(2) A by-law passed under subsection 1 may provide for the establishment of day nurseries directly by the municipality or by an organization named in the by-law and approved by the Minister, but in either event, in order to qualify for a grant under this Act, the council of the municipality must be responsible for the efficient and satisfactory operation thereof and for furnishing to the Minister such reports and other information as he requires. Establishment of day nurseries by municipality or organization R.S.O. 1950, c. 88, s. 2.

**Contribution by Province** **3.** There shall be paid to every municipality in respect of every day nursery established under section 2 and conducted in accordance with the regulations an amount equal to one-half of the amount paid out or contributed by the municipality for the operation and maintenance of the day nursery, computed in the manner prescribed by the regulations. R.S.O. 1950, c. 88, s. 3.

**Regulations** **4.—(1)** The Lieutenant Governor in Council may make regulations,

- (a) governing and regulating the operation of day nurseries;
- (b) requiring any class or classes of day nurseries to be licensed and providing for the issue, renewal, suspension and cancellation of licences;
- (c) prescribing the fee payable by an applicant for a licence or renewal of a licence.
- (d) prescribing the manner of computing the cost of operation and cost of maintenance of a day nursery for the purposes of section 3;
- (e) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1950, c. 88, s. 4 (1); 1960, c. 20, s. 2.

**Application of regulations**

(2) Any regulation may be made applicable to day nurseries generally or may be restricted in its application to day nurseries established under section 2. R.S.O. 1950, c. 88, s. 4 (2), *amended*.

**Offence**

**5.** Every person who contravenes any of the provisions of the regulations is guilty of an offence and on summary conviction is liable to a fine of not more than \$50 for a first offence and not more than \$100 for a second or subsequent offence. R.S.O. 1950, c. 88, s. 5.

**Appropriation of money**

**6.** All sums payable under this Act are payable out of the moneys that are appropriated therefor by the Legislature. R.S.O. 1950, c. 88, s. 6.